HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 328 of 2006 (SS)

Rajrani w/o Late Ravindra Singh Chauhan
Village & Post Begaur,
District Etah ..... Petitioner

Versus

1. State of Uttaranchal
2. Deputy Director of Education, Nainital
3. District Inspector of Schools, Pithoragarh
4. Principal, Government Inter College,
   Shel Kumar, Pithoragarh
5. State of U.P. ..... Respondents

Sri M.K. Chand, Advocate for the petitioner
Standing Counsel for the respondents.

Dated: 8.3.2006

Hon'ble Rajesh Tandon, J.

Heard the learned counsel for the parties at length.

By the present writ petition, the petitioner has prayed for a writ of mandamus directing the respondent to pay gratuity and other dues outstanding to the petitioner.

Briefly stated the husband of the petitioner namely Sri Ravindera Singh Chauhan was posted as Lecturer (L.T. grade) in Shel Kumari Government Inter College, Pithoragarh. He was suffering from mental ailment and remained hopitalised from 8.8.1983 to 25.12.1983. He died on 3.8.1995 at Etah. The petitioner sent the death certificate to the respondents. The respondent no. 3 also verified the certificate from Nagar Palika Parishad, Etah. The elder son of the petitioner moved an

application to the respondent to make payment towards his father's gratuity, pension, G.P. Fund etc. and also give him appointment on compassionate ground. The Joint Director, Education, Kumaun vide letter dated 25.10.1997 asked the respondent no. 4 as to why the payment was not made to the petitioner although a period of two years have already been lapsed. The petitioner has submitted that she has made several representations to the respondents for payment of the outstanding dues of her husband but they paid no heed.

In view of above, liberty is given to the petitioner to make a fresh representation to the respondents, within 15 days after obtaining the certified copy of this order, who shall decide the same within two months thereafter.

Accordingly, the writ petition is disposed of.

Dated: 8.3.2006 **Rajesh Tandon, J.**

*Dhyani